

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOSEPH K. NEWBOLD,)
Petitioner,)
v.) 1:18CV639
United States of America,) 1:05CR262-1
Respondent.)

ORDER

On October 6, 2020, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #136] to the Recommendation within the time limit prescribed by Section 636.

The court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 134), which is affirmed and adopted.

IT IS THEREFORE ORDERED that Petitioner's motion (Doc. 109) to vacate, set aside or correct sentence is DENIED and this action is DISMISSED. Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is DENIED.

/s/ Thomas D. Schroeder
December 9, 2020 United States District Judge